S.B.Cr.Misc. Bail App. No.4727/2007

(Shravan Ram & Ors. Vs. State of Rajasthan)

Date of order : October 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Dr.S.S.Jodha, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.
Mr.B.S.Rathore, for the complainant.

Heard learned counsel for the petitioners and the Public Prosecutor for the State assisted by counsel appearing for the complainant. Perused the order impugned and the police investigation diary.

It is contended by the learned counsel for the petitioners that the land in question is owned by petitioners No.1 to 3 and the patta stands in their names. This fact has not been disputed by the learned Public Prosecutor appearing for the State.

The only allegation against the petitioners is that deceased Rekha Ram was in possession of the land and the petitioners wanted to take the possession therefrom on the strength of the ownership and the deceased was asked to vacate the possession. Except this, there being no other evidence so far collected by the police. As to whether any case for abetment to

commit suicide is made out or not is the matter of investigation.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party, having regard to the facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Shravan Ram s/o Gordhan Ram Jat, Munnia Ram s/o Pusa Ram Jat, Om Prakas alias Prakash s/o Chandra Ram Jat and Dhanraj s/o Hari Bhagat be released on bail in FIR No.25/2007, P.S. Surpalia, Distt. Nagaur provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-